



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes COMMITTEE OF THE WHOLE

*William B. Dunaway, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Grif Chalfant, Ward 2*  
*Holly Marie Walquist, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Thursday, November 5, 2009

5:15 PM

4th Floor Conference Room

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**Presiding:** William B. Dunaway

**Present:** Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

**Also Present:**

*William F. Bruton, Jr. City Manager*

*Douglas Haynie, City Attorney*

*Stephanie Guy, City Clerk*

**CALL TO ORDER:**

*Mayor William B. Dunaway called the meeting to order at 5:19 p.m.*

**MINUTES:**

**20091193 Regular Meeting – October 12, 2009**

Review and approval of the October 12, 2009 regular meeting minutes.

**A motion was made by Council member Coleman, seconded by Council member Lewis, that the minutes be Approved . The motion carried by the following vote:**

**Vote: 6 – 0 – 0                      Approved**

Absent for the vote: Jim King

**BUSINESS:**

*Discussion was held regarding two new agenda items:*

**A motion was made by Council member Goldstein, seconded by Council member Coleman, to add the approval of the certified election results for the November 3, 2009 City of Marietta General Election as presented by the Cobb County Board of Elections and Registration to the consent agenda. The motion carried by the following vote:**

**Vote: 6 – 0 – 0                      Approved**

Absent for the vote: Jim King

*City Attorney, Doug Haynie, presented a resolution regarding the Bond Election results for review and asked that this matter be added to the Council agenda for approval.*

*Discussion was held.*

**A motion was made by Council member Goldstein, seconded by Council member Coleman, to add a Resolution declaring the results of a Bond Election held on November 3, 2009, without the last paragraph.**

**A substitute motion was made by Council member Walquist, seconded by Council member King, to add a Resolution declaring the results of a Bond Election held on November 3, 2009; providing for notification of the District Attorney; and for other related purposes to the consent agenda. The motion carried by the following vote:**

**Vote: 4 – 2 – 1                      Approved**  
Vote Against: Annette Lewis and Philip M. Goldstein  
Abstain: Van Pearlberg

**20091208      BLW Report**

Council member Jim King gives the BLW Report for the Monday, November 9, 2009 meeting.

**This matter was Removed**

**20091137      East Dixie Avenue Traffic**

Discussion of options for controlling traffic between Sycamore Street and Delk Street.

**A motion was made by Council member Jim King, seconded by Council member Holly Walquist, that this matter be Recommended for Council Agenda Non Consent . The motion carried by the following vote:**

**Vote: 6 – 1 – 0                      Approved**  
Vote Against: Van Pearlberg

**20091138      Bouldercrest Drive at Banks Street Intersection**

Request for stop sign based upon sight distance requirements.

**This matter was Referred to the PUBLIC WORKS COMMITTEE**

**20091159      Bond Update**

Update and general discussion relative to the bonds.

**This matter was Discussed**

A motion was made by Council member King, seconded by Council member Chalfant, to add an item on the Council agenda to hire Public Financial Management Inc., as the City's financial advisor and authorize to move forward with refunding the 2002 and 2008 School Board Bonds and 2007 Public Safety Bonds, with a combined savings of 3%. The motion carried by the following vote:

**Vote: 5 – 0 – 2                      Approved**  
Abstain: Van Pearlberg and Philip M. Goldstein

A motion was made by Council member King, seconded by Council member Walquist, to add an item to the Council agenda to hire Public Financial Management Inc., as the City's financial advisor and authorize to move forward with issuance of the Parks Bond, as requested by Mayor Dunaway. The motion carried by the following vote:

**Vote: 4 – 3 – 1                      Approved**  
Vote Against: Annette Lewis, Rev. Anthony Coleman and Philip M. Goldstein  
Abstain: Van Pearlberg

*(Mayor Dunaway voted on this matter due to the tie vote)*

**20091172              Parking Deck**

Consideration of proposed council action related to the parking deck.

**This matter was Referred to the CITY COUNCIL SPECIAL MEETING**

**20091207              Draft City Council Agenda**

Review and approval of the DRAFT Monday, November 9th City Council Agenda.

*-Under Minutes: Agenda items 20090995, 20091190 and 20091191 were added to the consent agenda.*

*-Under Ordinances: Agenda item 20091178 was removed from the agenda. Agenda item 20091181 was taken off the consent agenda.*

*-Under Other Business: Agenda items 20091200, 20091199, 20091201, 20091206, 20091204, 20091202, 20091198, and 20091203 were added to the consent agenda.*

**This matter was Discussed**

**20091209              Executive Session**

Executive Session to discuss legal, personnel and/or real estate matters.

A motion was made in open session by Council member Goldstein, seconded by Council member Chalfant, to enter an Executive Session to discuss real estate acquisition and legal matters. The motion carried by the following vote:

**Vote: 7 - 0 - 0                      Approved**  
*For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein*

*The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).*

**A motion was made in open session by Council member Goldstein, seconded by Council member King, to close the Executive Session. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Approved**

*For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein*

*A motion was made by Council member Goldstein, seconded by Council member King, to add an item to the Council agenda for a Denial of claim of Kim and Lyseenia Johnson. The motion carried by the following vote:*

*Vote: 7 – 0 – 0*

*Approved*

*A motion was made by Council member Goldstein, seconded by Council member King, to add the following items to the Council agenda for approval:*

*-Acquisition of property owned by Wachovia Bank, National Association, 761 Powder Springs Street by means of eminent domain.*

*-Acquisition of Right of Way at 761 Powder Springs Road from Wachovia in exchange for \$35,800 for the Powder Springs Road Streetscapes Project, with stipulations.*

*-Acquisition of Property at 704 Fairgate Road for the purpose of Powder Springs Streetscapes improvements.*

*-Relocation of Power Poles by Georgia Power for Roswell St. (Victory-Cobb Improvements).*

*-Acquisition of Right-of-Way Acquisition for the purpose of Fairground Street Improvements at 550 Seminole Drive.*

*The motion carried by the following vote:*

*Vote: 7 – 0 – 0*

*Approved*

**ADJOURNMENT:**

*The meeting was adjourned at 7:14 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_